

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID N. MURPHY, SR.,

Plaintiff

v.

SCOTT M. GROCHOWSKI, *et al.*,

Defendants

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CIVIL ACTION NO. 3:18-1404

**(MANNION, D.J.)
(SCHWAB, M.J.)**

ORDER

In accordance with the memorandum issued this same day, **IT IS
HEREBY ORDERED THAT:**

- (1)** the report of Judge Schwab, **(Doc. 18)**, is **ADOPTED IN ITS ENTIRETY**;
- (2)** all of the plaintiff's claims in both of complaints, **(Docs. 1 & 16)**, are **DISMISSED, in part, with prejudice**, except for his knock-and-announce claims against defendants Grochowski, Greenwald, Marrow, and John Does 1-3, and his retaliation claim against defendant Berdanier; and
- (3)** the Clerk of Court is directed to **REMAND THIS CASE** to Judge Schwab for further proceedings as to the remaining claims and defendants.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: March 20, 2019